

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
**Certified Copy of Portion of Proceedings for the Meeting of March 25, 2025**

**RESOLUTION NO. 25 – 62**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT DENYING THE APPEAL OF THE SUSPENSION FOR THE MANA FARM CONDITIONAL USE PERMIT, RECORD NUMBER PLN-12280-CUP AND MODIFYING THE CONDITIONAL USE PERMIT TO INCLUDE ADDITIONAL CONDITIONS OF APPROVAL**

**WHEREAS**, on December 22, 2016, Rockaway Investments submitted an application for a Conditional Use Permit for the operation of an existing 10,000 square foot cannabis farm. This operation includes the drying and curing the cannabis cultivated on the farm; and

**WHEREAS**, on July 1, 2021, the Humboldt County Planning Commission approved the Conditional Use Permit for record number PLN-12280-CUP; and

**WHEREAS**, after the close of all appeal periods the Conditional Use Permit was issued with an effective date of July 16, 2021 ; and

**WHEREAS**, on September 9, 2022, an annual cannabis inspection occurred and noted outstanding conditions of approval that had not been met; and

**WHEREAS**, on April 4, 2023, the transfer of Rockaway Investments to Kathy Ann Hall was completed; and

**WHEREAS**, on August 2, 2023, an annual cannabis inspection occurred, where several permit violations were identified including use of supplemental lighting, uncontained hazardous material, junk on the property and incomplete condition compliance; and

**WHEREAS**, on July 26, 2024, an annual cannabis inspection occurred where water records and reporting were noted as not being available; and

**WHEREAS**, on October 23, 2024, California Department of Fish and Wildlife Warden Joshua Zulliger contacted the Humboldt County Planning Department regarding an approved search warrant for APN 208-111-028 and 208-111-022 and requested a representative be present on October 24, 2024.

**WHEREAS**, on October 24, 2024, a search warrant was executed by the California Department of Fish and Wildlife, the Humboldt County Sheriff's Department, California Department of Cannabis Control, the California State Water Resources Control Board, and Humboldt County Planning and Building Department; and

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**WHEREAS**, on October 31, 2024, a permit suspension letter was sent by certified mail to the permit holder of PLN-12280-CUP. An email was also sent to both the permit holder and their agent. Finally, the letter of Suspension was posted on the entry gate to the properties.

**WHEREAS**, on November 14, 2024, the permit holder of PLN-12280 submitted an appeal to the notice of the permit suspension and paid all required fees.

**WHEREAS**, on November 14, 2024, Notices of Public Hearing were sent to the permit holder of PLN-12280-CUP; and

**WHEREAS**, on December 10, 2024, a revised notice of hearing was sent to the permit holder.

**WHEREAS**, the Board of Supervisors held a duly-noticed public hearing on February 25, 2025, and reviewed, considered, and discussed the application and appeal for the Conditional Use Permit and reviewed and considered all public testimony and evidence presented at the hearing.

**WHEREAS**, the Board of Supervisors continued the hearing to March 25, 2025 and directed staff to develop new conditions of approval for the permit; and

**WHEREAS**, the Board of Supervisors held a duly-noticed public hearing on March 25, 2025, and reviewed, considered, and discussed the updated Conditions of Approval for the Conditional Use Permit and reviewed and considered all public testimony and evidence presented at the hearing.

**NOW, THEREFORE, IT IS HEREBY PROCLAIMED** that the Board of Supervisors makes all the following findings:

**1. FINDING:**                   **Project Description:** Modification of a Conditional Use Permit for cannabis cultivation on APN 208-111-028.

**EVIDENCE:**               Project File: PLN-12280-CUP

**2. FINDING:**                   **CEQA:** The requirements of the California Environmental Quality Act have been complied with.

**EVIDENCE:** a) The action is exempt from environmental review pursuant to Section 15321 of the CEQA Guidelines (Enforcement Actions by Regulatory Agencies) and Section 15301 of the CEQA Guidelines (Existing Facilities).

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**3. FINDING** It is appropriate to modify this Conditional Use Permit rather than to revoke the permit based upon the testimony of the permit holder and their agent who stated they were unaware it was not legal and were not aware it was a violation of the county permit to pump water out of Little Larabee Creek.

- EVIDENCE**
- a) The current permit holder was not the original applicant. The permit holder testified that when they acquired the property, the property was filled with junk and debris, and they have been working on cleaning it up.
  - b) The current permit holder has shown substantial progress in addressing the violations associated with trash and hazardous material on the site. Photographs have been submitted showing significant progress towards cleaning the site and resolving violations.
  - c) The permit holder did not know they could not pump water out of the creek and thought they had a LSAA that allowed them to pump water from the creek. There is not a LSAA that allows diversion of surface water.
  - d) The current permit holder was not aware of the conditions of the permit which only allowed use of the well as an irrigation water source.
  - e) The permit holder testified they used the approved water source (a well) to irrigate but only used the water from the creek to balance the PH in the well water.

**4. FINDING** Based on the manner in which the permit has been operated in the past, modifications to the permit are necessary to protect the public, health, safety and welfare and to protect the environment. There is need to ensure that water is not illegally diverted from Little Larabee Creek again, insure that the well provides an adequate source of water, based upon past performance this site needs additional accountability in the form of increased inspections, the site was required to stop using a generator and this needs to happen by permitting the solar array and the permit

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holder needs to be responsible for the cost of the hearing and further inspection.

- EVIDENCE**
- a) The permit holder has testified that they have applied for an LSAA to allow surface diversion of water from Little Larabee Creek. The permit holder has used the creek as a source of water in the past and it is important to be clear that the use of the creek as a source of water is not permitted. Condition B12 has been modified to make it clear the permit does not allow the permit holder to obtain an LSAA for either domestic or irrigation use.
  - b) The County of Humboldt has been conditioning cannabis farms powered by generators to convert to renewable energy. This is to stop burning fuels which produce Greenhouse Gas and pollute the local air. This project was approved in 2021 with the condition to have the solar array permitted within 2 years and stop using generator power. This condition has not yet been complied with. Condition 7 has been modified to require the permit holder to apply for a building permit and finish the solar array prior to the suspension being lifted.
  - c) There is concern that the well has not operated as projected during the review and approval of this permit. There has not been the required drawdown testing completed in an adequate manner. To ensure the well is adequate it is necessary to modify condition B16 to be clear on what is expected during an annual drawdown test.
  - d) There is an outstanding invoice owed to the Planning and Building Department in the amount of \$3,838.64 in addition to the work done on the revocation/modification process. These fees must be paid prior to the suspension being lifted or within 60 days. Condition A13 has been modified to address this.
  - e) The site has been inspected three times in the past two years and has not been found in compliance. The illegal use of water and inoperable well pump was only discovered during a surprise warrant inspection. Based on past behavior of the permit holder (site not maintained, hazardous materials outside of contained areas and unpermitted water diversion from Little Larabee Creek, additional unannounced inspections are needed to protect the

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environment and ensure the permit is operated in compliance with the County Code and County permit

**NOW, THEREFORE**, based on the above findings and evidence, the Board of Supervisors does hereby:

- a. Deny appeal of the suspension of the Conditional Use Permit, leaving the permit suspended until conditions A2 – A15 are complied with; and
- b. Modify the Conditional Use Permit for Mana Farms, LLC to add additional Conditions of Approval.

The foregoing Resolution is hereby passed and adopted by the Board of Supervisors on March 25, 2025, by the following vote:

Dated: March 25, 2025

Michelle Bushnell

Supervisor Michelle Bushnell, Chair  
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Bushnell, Seconded by Supervisor Bohn, and the following vote:

AYES: Supervisors: -- Arroyo, Bohn, Bushnell, Madrone, and Wilson

NAYES: Supervisors: -- None

ABSENT: Supervisors: -- None

ABSTAIN: Supervisors: -- None

STATE OF CALIFORNIA  
County of Humboldt

I, Tracy Damico, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my Office.

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.



**KALEIGH MAFFEI**

Clerk of the Board of Supervisors of the County of Humboldt, State of California

**Record Number PLN-12280-CUP  
Assessor Parcel Number: 208-111 028-000-000  
Mana Farm and Rockway Investments, LLC**

- A. APPROVAL OF THE CONDITIONAL USE PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PERMIT SUSPENSION IS LIFTED AND PRIOR TO CANNABIS CULTIVATION OCCURRING.**
1. Prior to the suspension being lifted and cultivation occurring, the applicant shall arrange for a site inspection of the operation and shall demonstrate completion of conditions of approval A.2 through A.14.
  2. The Applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
  3. The Applicant shall provide a survey of the property by a California licensed surveyor to verify that the requisite 30-foot cannabis cultivation setback and all zoning setbacks are satisfied.
  4. Per the request of the Building Division, the applicant shall amend the Site Plan to show all grading, green houses, structures and RV trailers on subject parcel.
  5. The Applicant shall install and utilize a water meter to keep track of irrigation use. Records from the meter shall be made available to the County upon request.
  6. The Applicant shall have the access roads leading to the project site assessed by an experienced licensed Professional to ensure that the Best Management Practices are implemented, within sixty-days following the execution of this permit, to prevent sediment delivery to nearby watercourses/wet areas.
  7. The Applicant shall amend the Cultivation and Operations Plan and the Site Plan to incorporate fire- safe measures including fire extinguisher locations to prevent and/or reduce potential impacts to wildlife habitat caused by fire.
  8. The Applicant shall implement all corrective actions detailed within the Water Resource Protection Plan developed for the parcel, prepared pursuant to Tier 2 enrollment under the North Coast Regional Water Quality Control Board (NCRWQCB) Cannabis Waste Discharge Regulatory Program. A letter or similar communication from the NCRWQCB verifying that all their requirements have been met will satisfy this condition.
  9. The Applicant shall execute and file with the Humboldt County Planning and Building Department the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
  10. The Applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof

of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.

11. The applicant shall secure permits for all existing and proposed grading (including, but not limited to flats and pond) and structures (including, but not limited to: the cabin, shop and 5 cargo containers) related to the cannabis cultivation and other commercial cannabis activity. A letter or similar communication from the Building Division verifying that all structures and grading related to cannabis cultivation are permitted will satisfy this condition. No impervious floor shall be allowed for greenhouses.
12. The Applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
13. The applicant shall contact the local fire service provider [Bridgeville Fire Protection District] and furnish written documentation from that agency of the available emergency response and fire suppression services. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division
14. The applicant shall pay all outstanding fees and payment obligations with the Humboldt County Planning and Building Department, including the costs for processing the Board of Supervisors Revocation Hearing, Conditional Use Permit Modification and Suspension Appeal.
15. The applicant shall secure permits for the solar arrays as the approved primary power source and shall submit documentation from a solar technician that the system can provide for the power needs of the operation prior to December 31, 2025.

**B. Ongoing Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project:**

1. Violations of these conditions shall be grounds for scheduling a revocation hearing with the Board of Supervisors.
2. The applicant will be subject to additional inspections beyond the annual inspection and shall allow Planning and Building Department staff to conduct inspections without any prior notice.
3. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.
4. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance



with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.

5. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning & Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort towards compliance can be shown within the two years following the issuance of the provisional clearance or permit, The Planning Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow for additional time to meet the outstanding requirements.
6. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
7. Compliance with all statutes, regulations and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
8. The applicant to submit evidence of enrollment into the State Cannabis Cultivation Discharge program by submitting copies of all documents filed with the State Water Resources Control Board, including, but not limited to, a Notice of Applicability. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB.
9. Confinement of the area of cannabis cultivation, processing, manufacture or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any School, School Bus Stop, Church or other Place of Religious Worship, Public Park, or Tribal Cultural Resources, except where a reduction to this setback as been approved pursuant to Section 55.4.11(d).
10. Maintain enrollment in Tier 1, 2 or 3, certification with the North Coast Regional Water Quality Control Board (NCRWQCB) Order No. 2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
11. For cultivation area(s) for which no enrollment pursuant to NCRWQB Order No. 2015-0023 is required by that Order, comply with the standard conditions applicable to all Tier 1 dischargers.
12. Comply with the terms of any applicable Streambed Alteration (1600) Permit obtained from the California Department of Fish & Wildlife. The permit holder shall hereby be restricted from submitting an LSAA application for use of a point of diversion for either cultivation or domestic use.
13. The applicant shall adhere to the recommendations of the Biological Assessment completed by

Emerald Triangle Associates including but not limited to sensitive wildlife species recommendations, Northern Spotted Owl, migratory birds, Northern Red-legged Frog, and sensitive plant species.

14. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CAL-FIRE), if applicable.
15. Applicant shall adhere to the recommendations of the Biological Assessment completed January 9, 2019 for the project parcel by O'Brien Biological Consultants.
16. The groundwater well shall be inspected annually to evaluate drawdown, and the potential for the well to go dry. This evaluation must include a standard pump test to be conducted during the dry season, for at a minimum of 8 hours in pumping duration and shall measure the recovery of the water level. Evaluation of the pump test results should be conducted by a licensed professional with expertise. Should the results of the drawdown testing indicate the potential for the well to go dry or any other confounding factors regarding proximal wells, additional water storage to mitigate excessive drawdown shall be installed.
17. No lights, generators or fans are permitted by this permit until a scoping report for Northern Spotted Owl and Marbled Murrelet habitat is prepared by a biologist or forester with experience in the life history of the species and approved by the Planning Director. If habitat is present within the project vicinity, a light and noise attenuation plan shall be developed in consultation with the Planning Department and California Department of Fish and Wildlife prior to the use of any lights, generators, or fans. Conformance will be evaluated using auditory disturbance guidance prepared by the United States Fish and Wildlife Service and any other relevant published literature. Should the applicant propose to achieve noise attenuation by placing the generators inside a building(s), the applicant shall secure a building permit prior to construction.
18. The Applicant shall implement avoidance measures including, but not limited to, the prohibition of generators, project lighting, dehumidifiers, and fans, including those used in ancillary structures (e.g. nurseries) during the breeding season (February 1 to July 9), each year.
19. The Applicant shall construct noise containment/dampening structures for all generators and fans on parcel; noise released shall be no more than 50 decibels measured from 100ft or edge of habitat whichever is closer. CDFW further requests, a noise attenuation monitoring and management plan for this activity within thirty-days, following execution of the final permit.

20. That artificial light used for cannabis cultivation operations (including ancillary nurseries) shall be fully contained within structures such that no light escapes (e.g., through automated blackout curtains) between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular and nocturnal wildlife. Security lighting shall be motion-activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low-Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed. CDFW further requests, a light attenuation monitoring and management plan for this activity within thirty-days, following execution of the final permit.
21. Timber removal is prohibited within 150ft of the designated cultivation sites.
22. All imported soil located onsite shall be fully contained and setback a minimum of 150 feet from watercourses and/or wet areas.
23. Generators and associated fuels shall be located outside of the floodplain and a minimum of 150 feet from streams (measured horizontally from the outer edge of the riparian or top of bank, whichever is greater. Generators and associated fuels shall be kept in secondary containment for capturing fuel leaks and located in a housing structure for noise attenuation.
24. All refuse shall be contained in wildlife proof containers, at all times, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
25. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
26. This permit does not authorize the use of Anticoagulant rodenticides on the subject parcel. Anticoagulant rodenticides are prohibited.
27. Pay all applicable application and annual inspection fees.
28. At least one water meter shall be installed on the water line providing irrigation flow to the cultivation site. The water meter shall have the capacity to measure at least 100,000 gallons of flow before resetting. The water meter shall be used to measure the amount of water provided to the cultivation area during the forbearance period. The meter shall be installed at a point on the water line that provides an accurate measurement of the water used for irrigation. Household water use at the caretaker's residence shall be separately metered if required.
29. The noise produced by a generator used for cannabis drying, curing, and processing shall not be audible by humans at neighboring residences. The decibel level for generators measured at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. Under these guidelines, generator noise may not exceed 50dB as measured at 100 feet from the generator or at the edge of the nearest Marbled Murrelet or Spotted Owl habitat, whichever is closer.
30. Storage of Fuel - Fuel shall be stored and handled in compliance with applicable state and local

laws and regulations, including the County of Humboldt's CUPA program, and in such a way that no spillage occurs.

### **Performance Standards for Cultivation and Processing Operations**

Pursuant to the MAUCRSA, Health and Safety Code section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."

Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).

Cultivators engaged in processing shall comply with the following Processing Practices:

- a. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
- b. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
- c. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
- d. Employees must wash hands sufficiently when handling cannabis or use gloves.

All persons hiring employees to engage in commercial processing of medical cannabis shall comply with the following Employee Safety Practices:

- i. Implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
  1. Emergency action response planning as necessary;
  2. Employee accident reporting and investigation policies;
  3. Fire prevention;
  4. Hazard communication policies, including maintenance of material safety data sheets (MSDS);
  5. Materials handling policies;
  6. Job hazard analyses; and
  7. Personal protective equipment policies, including respiratory protection.
- ii. Visibly post and maintain an emergency contact list which includes at a minimum:
  1. Operation manager contacts;
  2. Emergency responder contacts;
  3. Poison control contacts.
- iii. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
- iv. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.

All cultivators shall comply with the approved Processing Plan as to the following:

- i. Processing Practices.
  - ii. Location where processing will occur.
  - iii. Number of employees, if any.
  - iv. Employee Safety Practices.
  - v. Toilet and handwashing facilities.
  - vi. Plumbing and/or septic system and whether or not the system is capable of handling increased usage.
  - vii. Drinking water for employees.
  - viii. Plan to minimize impact from increased road use resulting from processing.
  - ix. On-site housing, if any.
- 31. Permit Duration.** The Permit shall be valid for one year from the effective date of approval, and on the anniversary date of such effective each year thereafter, unless an annual compliance inspection has been completed and the permit has been found to comply with all conditions of approval. In the event the inspection finds noncompliance, a written notification of shall be provided to the permit holder identifying the items not in compliance and the action the permit holder may take to cure the noncompliance. Failure to cure the noncompliance shall result in termination of the permit. The process of notification, re-inspection and appeal of any noncompliance determination shall be as set forth in sections 55.4.1.2.2 and 55.4.13 of the CMMLUO.
- 32. Permit renewals to comply with updated laws and regulations.** Permit renewal per ongoing requirement #19, above, is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
- 33. Transfers.** Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements, and agreement to permit terms and acknowledgments. The fee for required conformance with conditions review shall accompany the request. The request shall include the following information:
- (1) Identifying information for the new Owner(s) and management as required in an initial permit application;
  - (2) A written acknowledgment by the new Owner in accordance as required for the initial Permit application;
  - (3) The specific date on which the transfer is to occur; and
  - (4) Acknowledgement of full responsibility for complying with the existing Permit; and
  - (5) Execution of an Affidavit of Non-diversion of Medical Cannabis.
- 34. Modifications to the Facility.** Prior to making any modifications to a permitted facility, the

permittee shall submit to the Planning Director a request for determination of County approvals, together with the appropriate fee. The request shall contain a description sufficiently detailed to allow the Planning Director to determine what permits and other approvals, are needed, and whether a modified Permit is required.

35. **Inspections.** The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.
36. All signage shall comply with Section 314-87.2 of the Humboldt County Code.
37. The operation shall participate in the Medical Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner, when available.

**Informational Notes:**

1. If cultural resources are encountered during ground disturbing activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

**The applicant is ultimately responsible for ensuring compliance with this condition.**

2. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
3. This permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"); except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. Once initiated, the use is subject to the Permit Duration and Renewal provisions set forth in items #19 and #20 of the On-Going Requirements /Development Restrictions, above. The period within which construction or use must be initially commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.